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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,476	06/20/2001	Jeffrey A. Bedell	53470.003010	9575

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EXAMINER

ALAM, SHAHID AL

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/884,476

**Applicant(s)**

BEDELL ET AL.

**Examiner**

Shahid Al Alam

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-28 and 31-46 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 29 and 30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 09232002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

1. Claims 1 – 46 are pending in this Office action.

#### ***Information Disclosure Statement***

2. The reference cited in the information disclosure statement (IDS) submitted on September 23, 2002 and September 26, 2002 has been considered by the examiner.

#### ***Drawings***

3. Figure 3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Specification***

4. The disclosure is objected to because the examiner could not find any support of "an editable relationship", "a network graph", "a direct graph" or "graph", hence, the examiner could not understand these terms "an editable relationship", "a network graph", "a direct graph" or "graph".

Correction is required. See MPEP § 608.01(b).

***Claim Objections***

5. Claims 44 – 46 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claims 44 – 46 are dependant on claims 33 – 35, respectively, but claims 33 – 35 are method and not medium claims.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1 - 46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "A system" in claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "A method" in claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 43 recites the limitation "A machine readable medium" in claim. There is insufficient antecedent basis for this limitation in the claim.

8. Claim 43 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: selecting at least two of the set of

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at least two data objects to define an editable relationship between the at least two data objects in the reporting system.

***Claim Rejections - 35 USC § 101***

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1 - 46 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

**MPEP 2106 IV.B.2.(b)**

A claim that requires one or more acts to be performed defines a process. However, not all processes are statutory under 35 U.S.C. 101. *Schrader*, 22 F.3d at 296, 30 USPQ2d at 1460. To be statutory, a claimed computer-related process must either: (A) result in a physical transformation outside the computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artisan, or (B) be limited to a practical application within the technological arts.

Claims 1 - 46, in view of the above-cited MPEP sections, are not statutory because they merely recite a number of computing steps without producing any tangible result and/or being limited to a practical application within the technological arts. The use of a computer has not been indicated.

Theses claim do not indicate use of hardware on which the software runs to perform the steps recited in the body of the claim. Software or program can be stored on a medium and/or executed by a computer. In other words the software must be computer-readable. The use of a computer is not evident in the claim. MPEP 2106.IV.B.1(a) refers to "computer-readable" medium with computer program encoded on it."

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 3, 6 – 28 and 31 – 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (hereinafter "APA") and in view of U.S. Patent Number 6,581,068 issued to Pierre Bensoussan et al. ("Bensoussan").

With respect to claim 1, APA teaches a system for configuring a representation of data objects in a reporting system (see APA, Figure 3), comprising:

a set of at least two data objects (APA: page 1, lines 20 – 24); and

communicating with the set of at least two data objects, data objects to define and editable relationship between the at least two data objects in the reporting system (APA: page 1, lines 11 – 15 and page 2, lines 5 – 8).

APA does not explicitly teach the selection tool being operable to select at least two of the at least two data objects as claimed. Bensoussan discloses claimed selection tool being operable to select at least two data objects (column 14, lines 25 – 38).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the teaching of Bensoussan with the APA to provide enhancing ability to aggregate, analyze and report data stored in a multidimensional database (see column 2, lines 3 – 5; Bensoussan).

As to claims 2, 3 and 10, the relationship comprises a network graph, the network graph comprises a directed graph and the network graph is traversable (APA: see Figure 3).

As to claim 6, the editable relationship establishes relationships between at least one object that is not related to the database where other data objects reside (APA: page 2, lines 5 – 8).

As to claim 7, the at least one object not related to the database is derived from an object in the database (APA: page 2, lines 5 – 12).

As to claim 8, the editable relationship may skip objects that otherwise exist in the relationship of objects in the database (APA: page 2, lines 5 – 12).

As to claim 9, the selection tool is operable to designate at least one of the set of at least two data objects as an entry point (APA: Figure 3, page 1, lines 20 – 25; Bensoussan: column 17, line 62 – column 18, line 2).

As to claim 11, the set of at least two data objects corresponds to data stored in at least one data source (APA: Figure 3, page 1, lines 20 – 24).

As to claim 12, the at least one data source comprises at least one database (Bensoussan: column 1, lines 11 - 15).

As to claim 13, a request engine translating requests based on the relationship into requests for access to the at least one database (Bensoussan: column 16, lines 31 – 52).

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As to claim 14, the requests generate results from the at least one database, and the request engine presents the results in the representation (Bensoussan: column 16, lines 31 – 52).

As to claim 15, the selection tool comprises a graphical user interface (Bensoussan: column 17, line 62 – column 18, line 5).

As to claim 16, the set of at least two data objects is associated with an OLAP-compliant database (Bensoussan: column 17, line 62 – column 18, line 5 and APA: page 1, line 13 – 15).

As to claim 17, the relationship is extensible (Bensoussan: column 17, lines 21 – 34).

As to claim 18, at least one of a relationship table, a binary tree and a linked list, storing a representation of the relationship (Bensoussan: column 17, lines 21 – 34 and APA: page 1, lines 20 - 24).

As to claim 19, at least one of the at least two data objects comprises an associated security attribute (Bensoussan: column 11, lines 42 - 49).

As to claim 20, the associated security attribute restricts access to the at least one data object according to predetermined criteria (Bensoussan: column 11, lines 42 - 49).

As to claim 21, a plurality of representations may be generated from the at least one data source (Bensoussan: column 12, lines 51 - 63).



Claims 22 – 28, 31 – 42 are essentially the same as claims 1 – 3 and 6 – 21 except that it sets forth the claimed invention as a method rather than a system and rejected for the same reasons as applied hereinabove.

Claims 43 – 46 are essentially the same as claims 1 – 3 and 6 – 21 except that it sets forth the claimed invention as a machine-readable medium rather than a system and rejected for the same reasons as applied hereinabove.

***Allowable Subject Matter***

11. Claims 4, 5, 29 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not teach or fairly suggest the relationship defines a direction of one object to another and the direction of the object with respect to the other object differs from the directional relationship of those objects in the database where those data objects reside as recited in claims 4 and 29; and


the relationship defines an ordering of one object with respect to another and the ordering in the editable relationship differs from the ordering of the two objects in the database where those data objects reside as recited in claims 5 and 30.

***Contact Information***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Al Alam whose telephone number is (571) 272-4030. The examiner can normally be reached on Monday-Thursday 8:00 A.M.- 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Shahid Al Alam  
Primary Examiner  
Art Unit 2162

1 March 2005